

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Melinda Gibeau,

Plaintiff,

vs.

Carolyn W. Colvin, Acting Commissioner
of Social Security Administration,

Defendant.

Civil Action No. 1:13-1860RMG

ORDER

This matter comes before the Court on Plaintiff's motion for an award of attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (Dkt. No. 23). Plaintiff sought initially an attorney's fee award of \$2,520.00, which represented an hourly rate of \$200.00 per hour. (Dkt. No. 23-2). Following the filing of this motion, the parties filed a joint stipulation agreeing to the payment of an attorney fee award under EAJA of \$2,377.12, which reflects an hourly rate of \$188.66 per hour for 12.6 hours of attorney time. (Dkt. No. 24).

The Court has reviewed the motion and memorandum of Plaintiff, as well as the supporting underlying documentation, and finds that the total fee request, hours expended, and hourly rates stipulated to by the parties are reasonable and authorized under applicable law. *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002). Therefore, the Court hereby grants an EAJA award to Plaintiff in the amount of \$2,377.12, as set forth above. This award is subject to the Treasury Offset Program, 31 U.S.C. § 3716(c)(1)(B). In the event Plaintiff has no present debt subject to offset and Plaintiff has executed a proper assignment to her counsel, Defendant is directed to

make the payment due herein to Plaintiff's counsel. If Plaintiff has no present debt subject to offset and no proper assignment has been made by Plaintiff to her counsel, Defendant is directed to make the check due pursuant to this Order payable to Plaintiff and to deliver the check to Plaintiff's counsel.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Judge

August 12, 2014
Charleston, South Carolina